



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Docket No.: 6332.140 DIV

ROCHMAN

Parent Appln. Examiner: W.S. Yip

Serial No.: 10/799,721

Filed: March 15, 2004

Parent Appln. Group Art Unit: 3637

Title: SKID PLATE AND PRE-HUNG DOOR ASSEMBLY

37 CFR 1.17 (h) PETITION TO INCLUDE OMITTED ITEMS

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the enclosed Notice of Omitted Items In a Nonprovisional Application mailed May 28, 2004, please consider the admission of Figure 7 allegedly omitted from the originally application.

Enclosed is a stamped copy of the original US Patent and Trademark Office (US PTO) receipt indicating that the current application, as filed, contained six (6) sheets of drawings. Also enclosed is copy of the post card listing the serial number of the application (10/799,721) and indicating that six (6) sheets of drawings were originally submitted. The applicant has received no indication from the Office of Initial Patent

06/07/2004 HTECKLU1 00000118 500548 10799721

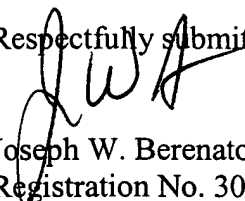
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Examination that the current application contained fewer than the specified number of drawing sheets listed in the two US PTO documents described above.

The current application is a divisional application of Serial No. 10/011,740 (the "parent" application). Both the parent application and the divisional application contain the same six sheets of drawings (enclosed), comprising Figures 1-8. Since Figure 7 was previously submitted with the parent application, the applicant has logically submitted Figure 7 with the divisional application. No additional drawings have been generated for the divisional application.

The applicant respectfully submits that Figure 7 was in fact deposited at the US PTO with the non-provisional application papers on the application's filing date, as indicated by the attached stamped US PTO documents. The applicant respectfully requests that enclosed Figure 7 be restored to the application. The applicant further requests the refund of the enclosed petition fee.

The applicant submits that the required fee is enclosed and that no additional fees are due with this submission. Should that determination be incorrect, then please debit Account No. 50-0548 and notify the undersigned.

Respectfully submitted,

Joseph W. Berenato, III
Registration No. 30,546
Attorney for Applicant



BEST AVAILABLE COPY

RECEIVED IN THE U.S. PATENT AND TRADEMARK OFFICE

In re the Divisional Patent Application of:
ROCHMAN

Serial No.: To be Assigned

Filed: Concurrently herewith

Title: SKID PLATE AND DOOR...

Enclosed:

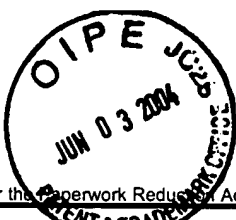
- 1) Acknowledgment postcard
- 2) Transmittal Form & Fee Transmittal
- 3) Specification - 19 pp.
- 4) Drawings - 6 sheets
- 5) Copy of Declaration
- 6) Copy of Assignment
- 7) Preliminary Amendment
- 8) Check No. 12465 for \$385.00

JWB/dmg

March 15, 2004 - Via Courier

6332.140





Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$) 130.00

Complete if Known

Application Number 10/799,721

Filing Date 03/15/2004

First Named Inventor ROCHMAN

Examiner Name W.S. Yip

Art Unit 3637

Attorney Docket No. 6332.140 DIV

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

50-0548

Liniak, Berenato & White,

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|-------------------------------|-------------------------------|------------------------|----------|
| 1001 770 | 2001 385 | Utility filing fee | |
| 1002 340 | 2002 170 | Design filing fee | |
| 1003 530 | 2003 265 | Plant filing fee | |
| 1004 770 | 2004 385 | Reissue filing fee | |
| 1005 160 | 2005 80 | Provisional filing fee | |
| SUBTOTAL (1) (\$) | | | |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Total Claims | -20** = | X | = |
| Independent Claims | -3** = | X | = |
| Multiple Dependent | | | |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description |
|-------------------------------|-------------------------------|--|
| 1202 18 | 2202 9 | Claims in excess of 20 |
| 1201 86 | 2201 43 | Independent claims in excess of 3 |
| 1203 290 | 2203 145 | Multiple dependent claim, if not paid |
| 1204 86 | 2204 43 | ** Reissue independent claims over original patent |
| 1205 18 | 2205 9 | ** Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2) (\$) | | |

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|-------------------------------|-------------------------------|--|----------|
| 1051 130 | 2051 65 | Surcharge - late filing fee or oath | |
| 1052 50 | 2052 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 130 | 1053 130 | Non-English specification | |
| 1812 2,520 | 1812 2,520 | For filing a request for ex parte reexamination | |
| 1804 920* | 1804 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 1,840* | 1805 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 110 | 2251 55 | Extension for reply within first month | |
| 1252 420 | 2252 210 | Extension for reply within second month | |
| 1253 950 | 2253 475 | Extension for reply within third month | |
| 1254 1,480 | 2254 740 | Extension for reply within fourth month | |
| 1255 2,010 | 2255 1,005 | Extension for reply within fifth month | |
| 1401 330 | 2401 165 | Notice of Appeal | |
| 1402 330 | 2402 165 | Filing a brief in support of an appeal | |
| 1403 290 | 2403 145 | Request for oral hearing | |
| 1451 1,510 | 1451 1,510 | Petition to institute a public use proceeding | |
| 1452 110 | 2452 55 | Petition to revive - unavoidable | |
| 1453 1,330 | 2453 665 | Petition to revive - unintentional | |
| 1501 1,330 | 2501 665 | Utility issue fee (or reissue) | |
| 1502 480 | 2502 240 | Design issue fee | |
| 1503 640 | 2503 320 | Plant issue fee | |
| 1460 130 | 1460 130 | Petitions to the Commissioner | 150.00 |
| 1807 50 | 1807 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 180 | 1806 180 | Submission of Information Disclosure Stmt | |
| 8021 40 | 8021 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 770 | 2809 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 770 | 2810 385 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 770 | 2801 385 | Request for Continued Examination (RCE) | |
| 1802 900 | 1802 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 130.00

SUBMITTED BY

(Complete (if applicable))

Name (Print/Type) Joseph W. Berenato, III Registration No. 30,546 Telephone 301-896-0600
Signature [Signature] (Attorney/Agent) Date 6/17/04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.